

Virginia Roanoke River Basin Advisory Committee
DRAFT Meeting Summary
Wednesday, October 14, 2015
New College Institute, Martinsville, Virginia

VRRBAC members present

Tim Pace (chair), Al Zimmerman (2nd Vice Chair), Senator Frank Ruff, Delegate Tommy Wright, Read Charlton, Haywood Hamlet, Christopher Blakeman, Jerry Lovelace, Don Smith, Linda Green (representing Congressman Robert Hurt), Phil Rapp (representing Senator William Stanley)

Guests

Mike Ward, Bob Jean, Andrew Lester, Barry T. Dunkley

DEQ Staff present

Scott Kudlas, Melanie Davenport, Curt Thomas

Call to Order

Chairman Pace called the meeting to order and thanked New College Institute for hosting the VRRBAC meeting.

Recognition of Members and Guests

Chairman Pace welcomed members and guests. Introductions of members and guests were given.

Approve Draft Meeting Minutes from July 29, 2015

The minutes of the July 29, 2015 VRRBAC meeting were unanimously approved after a motion by Senator Ruff, and seconded by Haywood Hamlet.

Action Item: Send approved meeting minutes to webmaster (completed October 21, 2015)

Election of Non-Legislative Representative to Bi-State Commission

Chairman Pace notified the Committee that a non-legislative member of the VRRBAC needs to be elected in order to fill the vacant seat on the Roanoke River Basin Bi-State Commission. After some discussion, the Committee decided that the non-legislative members should represent distinct geographic areas of the Roanoke River Basin. Thus, the non-legislative member should represent the southern portion of the Basin. Senator Ruff nominated Jerry Lovelace and was seconded by Al Zimmerman. Haywood Hamlet moved to close the nominations, seconded by Christopher Blakeman. The motion was passed and Jerry Lovelace was elected as a non-legislative member to the Bi-State Commission.

Action Item: Send materials to Governor's Office for Jerry Lovelace's appointment to RRBBC

HCPSA Water Expansion Project at Philpott Lake Presentation

Chairman Pace welcomed Mr. Mike Ward from Henry County Public Service Authority (HCPSA) to present to the VRRBAC on the Philpott Lake water expansion project. The presentation was a case study on increasing a water withdrawal to satisfy the projected demand of a region. The expansion project started in 2007 and seeks to increase a withdrawal on Smith River from 4 MGD to 6 MGD. Mr. Ward stated that economic development in Henry County, VA is the main driver of the project.

Several options existed for Henry County to increase their water allocation including a reallocation with the U.S. Army Corps of Engineers (USACE). Mr. Ward outlined the process that had to be undertaken in order to acquire a water reallocation from USACE. This includes a reallocation study that would cost Henry County approximately \$679,000 as well as a purchase of the additional 2 MGD allocation for about \$2.5 million. Additional operation and maintenance as well as repair costs would also exist.

Due to the high costs and timeline of a reallocation study, HCPSA opted to explore a different option for the short to mid-term. HCPSA is working with DEQ to prepare a water withdrawal permit and modeling analysis for the Smith River intake if it were to increase its withdrawal by 2 MGD. Mr. Ward and HCPSA found that weekend releases from the Philpott Reservoir are occurring, which could be favorable in relation to the proposed withdrawal. Mr. Lovelace stated that an additional weekend release schedule provided mutually beneficial results on the Staunton River in the past. HCPSA continues to work with DEQ, the Department of Game and Inland Fisheries, and USACE to satisfy Henry County's projected water demand.

Mr. Ward answered several questions from VRRBAC members and guests. Mr. Blakeman asked if there is significant consumptive loss associated with the water use. Mr. Ward answered that because most of the demand is for drinking that there is not significant consumptive water loss. Mr. Zimmerman questioned the effect that industries leaving had on water demand. Mr. Ward responded that there was a significant drop in water use but that several other water sources are currently inactive or going offline. Mr. Blakeman asked if HCPSA receives wastewater from facilities, which Mr. Ward confirmed it received treated and untreated wastewater.

Chairman Pace and the VRRBAC members thanked Mr. Ward for his presentation.

Update on the Current State of Stormwater Management Regulations

Chairman Pace welcomed Mrs. Melanie Davenport, Director of Water Permitting from the Virginia Department of Environmental Quality, to present on the recent updates to stormwater management regulations and how they affect localities. Mrs. Davenport outlined the various aspects of the Virginia Stormwater Management Program (VSMP) including MS4 permits and Construction General Permits.

MS4 permits are designed to regulate discharges from municipal separate storm sewer systems in urban environments, which carry pollutants into nearby waterways. Mrs. Davenport stated that a

particular goal of the MS4 program is to minimize pollution prior to rain and storm events. There are two types of MS4 permits: Phase I and Phase II. Phase I municipal separate storm sewer systems are authorized under individual permits and serve populations of over 100,000 people. Phase II systems are regulated under a General Permit and are smaller urban areas such as a county, town, or federal facility. Phase II systems also require Total Maximum Daily Load (TMDL) action plans for local watersheds.

Construction General Permits are a state program that requires operators of construction activities resulting in land disturbances equal to or greater than one acre or part of a larger common plan of development or sale that disturbs one or more acres to acquire a permit. Construction General Permits collect a permit fee and 78% of the fee goes back to the locality administering a VSMP. There is a database for VSMP localities in order to track project activities and review best management practices (BMP). The VSMP Best Management Practices Clearinghouse helps identify BMP's to abide by stormwater regulations. Mrs. Davenport also referenced a Stakeholder Advisory Group (SAG) that is reviewing the stormwater program. The goal of the SAG is to clarify the stormwater law and aid stakeholders in knowing what to do in the event of a land disturbance.

Mrs. Davenport then responded to questions from VRRBAC members and guests. Mr. Dunkley asked how VSMP addresses pollution that may come from nature but affects a TMDL. Mrs. Davenport answered that nutrient source tracking can help determine whether a pollutant is from nature or not, and work with a permittee regarding the issue. Mr. Charlton asked about the status of citizen and student monitoring programs within DEQ. Mrs. Davenport responded that DEQ works with many citizen monitoring groups and that the monitoring data is used based on tiers that inform quality control. Mr. Zimmerman asked how much VSMP funding is derived from permit fees. Mrs. Davenport answered that funding from permit fees is relatively modest.

Chairman Pace and the VRRBAC members thanked Mrs. Davenport for her presentation.

Other Business

Chairman Pace recommended that the Committee continue discussion of planning and reorganization of the VRRBAC again at the next meeting. Mr. Blakeman concurred with Chairman Pace regarding the planning exercise.

Mr. Blakeman provided a synopsis of the Ferrum College Roanoke River Currents Watershed Conference. One of the main topics discussed at the conference was the Mountain Valley Pipeline and how it would intersect the Roanoke River Basin. Mr. Smith asked about the permitting process regarding pipelines and if there are associated permit fees. After some discussion, it was noted that linear utility projects do not get regulated under locality ENS law and once a project is approved it does not require a permit. Chairman Pace suggested that the Mountain Valley Pipeline be a topic for the next meeting.

Mr. Lester informed the Committee on the recent lawsuit against the Commonwealth of Virginia by Virginia Uranium. The Roanoke River Basin Association and the Dan River Basin Association asked to be intermediaries on the case.

Mr. Lovelace updated the Committee on the status of the Kerr Lake Regional Water System interbasin transfer request, as he attended the September Water Allocation Committee in Raleigh, NC. The Committee received a memo from Mr. Lovelace and reiterated that the final determination will be made in November 2015.

Mr. Dunkley suggested that the VRRBAC acknowledge the contribution of Mr. John Feild, who worked with the VRRBAC and RRBBC for many years and recently stepped down. All members agreed that a gesture of appreciation should occur.

Action Item: Research previous acknowledgements to VRRBAC members

Next meeting

Members expressed interest in future meetings of the VRRBAC and the Roanoke River Basin Bi-State Commission. Mr. Thomas will be in contact with the VRRBAC to circulate dates for the next meeting. All suggestions for a time and location can be sent to Curt Thomas via email, Curtis.thomas@deq.virginia.gov, or phone, 804-698-4024.

Meeting adjourned at 12:15 pm.